

Decision Memo

Marienville ATV Connector and Wetland Restoration Project

USDA Forest Service, Eastern Region
 Allegheny National Forest
 Marienville Ranger District
 Howe and Jenks Townships, Forest County
 Pennsylvania

I. Decision to be implemented

A. Description of the Decision

My decision is to construct approximately 12.9 miles of two-way All-Terrain Vehicle (ATV) trail and restore/enhance a wetland in Jenks and Howe Townships, Forest County, Pennsylvania. With the designation of approximately 5.1 miles of Township Road 356 (Greeley Farm Road) as a dual use road by Jenks Township, this decision will establish an 18.1-mile ATV connector trail that will provide access from the center of Marienville, Pennsylvania to the Marienville/Timberline ATV/Bike Trail system. A summary of the activities in this decision is provided below. Location of the proposed trail is identified on the attached map, and additional information is available on our website at www.fs.usda.gov/project/?project=52264.

Summary of the proposed action

Trail Construction and Related Activities																
Activity	Amount	Details														
New trail construction	4.3 miles															
New perennial stream crossings	2 crossings	Watson Branch, Spring Creek with a bridge Unnamed tributary to Watson Branch, Spring Creek with a structural plate arch or bridge														
New intermittent stream crossings	4 crossings	Unnamed tributaries to Watson Branch, Spring Creek with squashed metal culverts														
New wetland crossing	1 crossing	Utilize an abandoned railroad grade to cross a wetland. Install water diversion structures, if needed, to facilitate water movement through the railroad grade/embankment.														
New trailhead construction	0.5 acres	Construct 5 to 10-vehicle trailhead (off Greeley Farm Road, Township Road 356).														
Authorizing ATV use on existing roads	6.1 miles	Portions for Forest Roads 128F, 221, 221Ba, 287G, and 394 and 0.8 miles of non-system road.														
Authorizing ATV use on existing trails and abandoned railroad grades	2.6 miles	Authorize ATV use on 2.6 miles of existing ATV/OHM/snowmobile trail.														
Trail realignment	0.5 miles	Realign 0.5 miles of trail just west of State Route 1003 (Blue Jay Road) to provide for a safe road crossing and flow of traffic onto and off of the Marienville Bike Trail.														
Place high quality trail surfacing	4.2 miles	<table><tr><th>Road or Trail</th><th>Miles</th></tr><tr><td>Forest Road 221BA</td><td>0.1</td></tr><tr><td>Forest Road 221</td><td>1.1</td></tr><tr><td>Forest Road 394</td><td>0.3</td></tr><tr><td>Existing non-system road (NS027693)</td><td>0.2</td></tr><tr><td>Marienville Bike and Snowmobile Trails</td><td>1.4</td></tr><tr><td>New trail construction</td><td>1.1</td></tr></table>	Road or Trail	Miles	Forest Road 221BA	0.1	Forest Road 221	1.1	Forest Road 394	0.3	Existing non-system road (NS027693)	0.2	Marienville Bike and Snowmobile Trails	1.4	New trail construction	1.1
Road or Trail		Miles														
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Forest Road 394		0.3														
Existing non-system road (NS027693)		0.2														
Marienville Bike and Snowmobile Trails	1.4															
New trail construction	1.1															

Gate Installation and Relocation Activities						
Activity	Amount	Details				
New Gate Installations and Gate Relocations		<ul style="list-style-type: none">Jenks Township Road 358 (2 gates on ATV trail at/near intersection with township road)Howe Township Road 373 (2 gates on ATV trail at/near intersection with township road)State Route 66 (2 gates on ATV trail at/near intersection with state road)Forest Road 221 (Milepost 1.540)State Route 1003 (Bluejay Road) (1 gate on ATV trail west of intersection with state road 1003)				
	13 gates	<ul style="list-style-type: none">Forest Road 394 (Mileposts 0.549 and 1.875) (install gates on ATV trail at intersection with forest road at listed mileposts)Forest Road 221 (west of intersection with state road 1003), which would result in restricting access to 1.635 miles of Forest Roads 221 and 221C that are currently open to public motor vehicle use.Forest Road 842 (access to Seldom Seen Recreation Residences, gate located west of trail)				
Road Management Changes and Decommissioning Activities						
Activity	Amount	Details				
Road Management Changes	3.2 miles	Road Number	Existing Status	Proposed Status	Miles	From Milepost to Milepost
		221	Open	Restricted	1.490	2.849 to 4.339
		221C	Open	Restricted	0.145	0.0 to 0.145
		128F	Closed	Restricted	0.503	0.222 to 0.725
		221BA	Closed	Restricted	0.539	0.0 to 0.539
		287G	Closed	Restricted	0.158	0.0 to 0.158
		222	Restricted	Closed	0.126	5.145 to 5.271
		842	Open	Restricted	0.22	0.0 to 0.22
Road Decommissioning	0.1 mile	Approximately 0.126 miles of Forest Road 222 would be decommissioned to remove it from the forest road system. This is primarily an administrative measure, as this segment of Forest Road 222 is not drivable. At one time, this segment crossed Slater Run, but the crossing was removed many years ago. As this segment connects to Forest Road 221, additional measures will be taken to assure this does not appear as a travel route for ATV/OHM users on Forest Road 221.				
Watershed Improvement Activities						
Activity	Amount	Details				
Vernal Pool Construction	5 pools	Construct five small vernal pools that range in size from 13 feet x 15 feet to 15 feet x 25 feet and are up to 18 inches deep. Two of the pools would be placed next to natural pools created from the uprooting of trees. The root wad next to the pools provides structure for amphibians to crawl on. The three other vernal pools would be constructed throughout and near one another within the wetland.				
Install water diversion structures	As needed	These will be installed as needed based on trail slope and water flow. They could be round cross drains pipes or an armored rolling dip that will allow the water to flow across the trail.				
Plant aspen and wetland shrubs	0.5 acres	Plant aspen trees and wetland shrubs of various native species				

B. Purpose of the Decision

The Allegheny National Forest provides 108 miles of all-terrain (ATV) and off-highway motorized (OHM) trail riding opportunities. By providing a trail connection from the center of Marienville, Pennsylvania to the Marienville ATV Trailhead, this decision would “increase access and linkages to communities” and would increase the variety of recreational opportunities and settings within the Allegheny National Forest (Forest Plan, page 13). The proposed ATV connector trail will use an abandoned railroad grade to cross a wetland (see attached map). This decision will enhance the wetland by creating vernal pools, installing water diversion structures in the abandoned railroad grade, if needed, and planting native wetland species to increase tree and shrub diversity.

This decision falls within the Blue Jay/Duhring intensive use area, defined in the Forest Plan, where ATV use is a suitable activity. It also falls within portions of the forest managed for late structural linkages (Management Area 2.2) and even-aged management (Management Area 3.0). The activities proposed here are consistent with Forest Plan direction, and all applicable Forest Plan standards and guidelines will be followed. The proposed connector trail has been laid out to minimize the number of watercourse crossings. New watercourse crossings were designed to minimize impacts by using best management practices that reduce sedimentation, allow for free flow and aquatic passage, and prevent channelization. Impacts to the wetland mentioned above will be minimized by using the existing abandoned railroad grade that crosses the wetland, hardening the trail surface in this location using limestone surfacing or paver blocks, and installing culverts or free draining material that allows for the movement of water through the abandoned railroad grade. Any required federal or state permits will be obtained for wetland and watercourse crossings, as well as for the wetland enhancement activities.

II. Reasons for Categorically Excluding the Decision

Decisions may be categorically excluded from documentation in an environmental impact statement or environmental assessment when they qualify for one of the categories identified by the U.S. Department of Agriculture in 7 Code of Federal Regulations (CFR) part 1b.3 or one of the categories identified in 36 CFR 220.6, and there are no extraordinary circumstances related to the decision that may result in a significant individual or cumulative environmental effect.

A. Category of Exclusion

This project falls within the following categories of exclusion 36 Code of Federal Regulations (CFR) § 220.6 (e) (1) construction or reconstruction of trails; 36 CFR § 220.6(e)(18) restoring wetlands, streams, riparian areas or other water bodies; and 36 CFR § 220.6(e)(3) minor special uses requiring less than 5 contiguous acres of National Forest System land (for the proposed road decommissioning). A project or case file and a decision memo are required for these categories.

B. Relationship to Extraordinary Circumstances

1. Proposed, Threatened, or Endangered Species or their Critical Habitat and Sensitive Species

The Endangered Species Act requires that Federal activities do not jeopardize the continued existence of any species federally listed or proposed as threatened or endangered or result in adverse modification to such species designated critical habitat.

Currently, there is no designated critical habitat for any federally threatened or endangered species on the Allegheny National Forest; therefore, implementation will not affect any

designated critical habitat. However, since scoping, the longsolid mussel has been proposed for federal listing as threatened. Along with the proposed listing is the designation of critical habitat for the longsolid mussel, which would include 99 miles of the Allegheny River. The longsolid mussel was analyzed as a Regional Forester Sensitive Species for this project and a “no impact” determination was reached in the project biological evaluation. Therefore, the proposed action would have no effect on the longsolid mussel or its proposed critical habitat.

Also, since scoping, the U.S. Fish and Wildlife Service has found that adding the monarch butterfly to the list of threatened and endangered species is warranted but precluded by work on higher-priority listing actions. With this decision, the monarch becomes a candidate for listing under the Endangered Species Act and its status will be reviewed each year until it is no longer a candidate. The monarch butterfly was analyzed as a Regional Forester Sensitive Species for this project and a “may adversely impact individuals, but not likely to result in a loss of viability in the Planning Area, nor cause a trend toward federal listing” determination was reached in the project biological evaluation.

On August 28, 2019, the U. S. Fish and Wildlife Service completed a 5-year review for the Northeastern bulrush. The review recommends that the species be delisted due to recovery. The 5-year review can be found at https://ecos.fws.gov/docs/five_year_review/doc6123.pdf.

Potential effects of the decision on federally listed species have been analyzed and documented in a project biological assessment. The analysis finds there would be a ‘no effect’ determination for the small whorled pogonia, northeastern bulrush, northern riffleshell, clubshell, snuffbox, sheepnose, rayed bean, and rabbitsfoot where individuals have not been documented and/or suitable habitat does not exist (for these species) within the project area.

The northern long-eared bat was listed by the U.S. Fish and Wildlife Service as “threatened” under the Endangered Species Act on April 2, 2015. The project biological assessment has determined that activities “may affect, likely to adversely affect” the northern long-eared bat and will not jeopardize the continued existence of the species. Project activities are consistent with the U.S. Fish and Wildlife Service programmatic biological opinion on implementing the final 4(d) rule as well as activities that do not require special exemption from taking prohibitions applicable to the northern long-eared bat (USDI-FWS 2016a). Therefore, any taking that may occur incidental to project activities is not prohibited under the final 4(d) rule (50 CFR §17.40(o); USDI-FWS 2016b) and the U.S. Fish and Wildlife Service programmatic biological opinion satisfies the Forest Service’s responsibilities under the Endangered Species Act section 7(a)(2) relative to the northern long-eared bat for this project.

The primary factor cited in the proposed listing rule responsible for the decline of northern long-eared bat populations is white nose syndrome. The U.S. Fish and Wildlife Service (2013) determined that although several activities, such as construction of physical barriers at cave accesses, mining, development, and timber harvest may modify or destroy northern long-eared bat habitat, these activities alone do not have significant, population-level effects on the species.

The impacts of the project on individuals and habitat is not considered to be significant and not expected to adversely affect the conservation and recovery efforts for the species for several reasons, including but not limited to the following:

- a. The U.S. Fish and Wildlife Service “anticipate[s] that habitat modifications resulting from forest management and silviculture will not significantly affect the conservation of the northern long-eared bat. Further, although activities performed during the species’

active season [non-hibernation season: April 1–November 14] may directly kill or injure individuals, implementation of the conservation measures provided for in the interim 4(d) rule will limit take by protecting currently known populations during their more vulnerable life stages.” (USDI-FWS 2015).

- b. Conducting tree removal outside the hibernation period could conceivably result in direct mortality or injury to northern long-eared bat by incidental felling of roost trees, particularly if non-volant bats are present. In areas of extensive intact forest, the likelihood that a given harvest will result in the loss of a maternity colony is small. Suitable habitat, as well as potential maternity roosts and day roosts, are abundant and widely distributed across the watersheds where this project is located. Additionally, there are well over 18.9 million potential roost trees on the Allegheny National Forest (Miles 2015).
- c. This project will provide protection for the northern long-eared bat during its most sensitive life stages. There are no known occupied maternity roosts in the project area, and there are no activities proposed within ¼ mile of known hibernacula. Should maternity roosts be found in the vicinity of these proposed activities in the future, conservation measures will be applied to protect maternity roosts during the pup season.
- d. Forest Plan standards and guidelines implemented for Indiana bat (USDA-FS 2007a, pages 81-82) will minimize potential harm or harassment to this species and retain key habitat components at the stand and landscape level.

Forest Service Manual 2670 requires analysis of potential impacts to sensitive species, those species for which the Regional Forester has identified population viability is a concern. On January 5, 2021, the Regional Forester approved the updated regional forester sensitive species list for the Allegheny National Forest. Since scoping, the eastern box turtle has been added to the Regional Forester Sensitive Species list for the Allegheny National Forest.

Potential effects of this decision on sensitive species have been analyzed and documented in the project biological evaluations. For 22 sensitive wildlife sensitive species,¹ this decision “may impact individuals, but will not cause a trend toward federal listing or loss of viability in the Planning Area.” The remaining 13 sensitive wildlife species² do not have any suitable habitat within the project area and no impacts are anticipated to these species with this decision. For the 36 sensitive plant species proposed activities would occur in suitable habitat. However, because no individual sensitive plants were found during survey efforts and the sensitive plant species would not be detrimentally impacted directly nor would their respective habitats be destroyed, a ‘no impact’ determination is reached for all 36 sensitive plant species. Forest Plan standards and guidelines, Pennsylvania best management practices, and project design features will be followed to ensure that impacts to Regional Forester Sensitive Species are minimized.

¹ Little brown bat, tri-colored bat, northern flying squirrel, northern goshawk, Swainson’s thrush, timber rattlesnake, wood turtle, eastern box turtle, four-toed salamander, creek heelsplitter, eyed brown, green-faced clubtail, harpoon clubtail, Maine snaketail, mocha emerald, monarch butterfly, mustached clubtail, rapids clubtail, sable clubtail, West Virginia white, zebra clubtail and mountain brook lamprey.

² Eastern hellbender, longsolid, rainbow, round pigtoe, threeridge, Wabash pigtoe, white heelsplitter, ski-tipped emerald, burbot, mountain madtom, northern madtom, Ohio lamprey, and spotted darter.

2. Floodplains, Wetlands, or Municipal Watersheds

Floodplains: Executive Order 11988 requires avoiding adverse impacts associated with the occupancy and modification of floodplains. Floodplains are defined by this order as, "... the lowland and relatively flat areas adjoining inland and coastal waters including flood-prone areas of offshore islands, including at a minimum, that area subject to a one percent [100-year recurrence] or greater chance of flooding in any one year."

The proposed ATV connector will cross floodplains at several locations with new construction. Trail structures such as bottomless culverts and bridges will be utilized that allow for the passage of 100-year flows and will have minimal impacts on the floodplain. Forest Plan standards and guidelines, Pennsylvania best management practices, and project design features will be followed to ensure that this decision will not cause adverse impacts to floodplains, will not impair the function of floodplains, and will not result in significant floodplain-related impacts.

Wetlands: Executive Order 11990 requires avoiding adverse impacts associated with destruction or modification of wetlands. Wetlands are defined by this order as, "... areas inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds."

This decision will enhance a wetland by creating vernal pools, installing water diversion structures in the abandoned railroad grade, if needed, and planting native wetland species to increase tree and shrub diversity. Forest Plan standards and guidelines, Pennsylvania best management practices, and project design features will be followed to ensure that this decision will not cause adverse impacts to wetlands, will not impair the function of wetlands, and will not result in significant wetland-related impacts.

Municipal Watersheds: Municipal watersheds are managed under multiple use prescriptions in forest plans. There are three municipal watersheds on the Allegheny National Forest: Big Mill Creek (Ridgway, Pennsylvania), Silver Creek (Johnsonburg, Pennsylvania), and West Branch Tunungwant Creek (Bradford, Pennsylvania). This decision does not include activities within or near any of the municipal watersheds on the Allegheny National Forest; therefore, there should be no impacts to municipal watersheds.

3. Congressionally Designated Areas

Wilderness: Designated wilderness areas in the Forest Plan are in Management Area 5.1 (pages 116 through 120). This decision is in Management Areas 2.2 and 3.0 and does not include activities within or near designated wilderness areas. This decision with impacts limited to the immediate area should not affect designated wilderness areas.

Wilderness Study Areas: There are two wilderness study areas on the Allegheny National Forest. Wilderness study areas in the Forest Plan are in Management Areas 5.2 (pages 121 through 125). This decision is in Management Areas 2.2 and 3.0 and does not include activities within or near wilderness study areas. This decision with impacts limited to the immediate area should not affect any wilderness study areas.

National Recreation Areas: The only National Recreation Area on the Allegheny National Forest is the Allegheny National Recreation Area (pages 148 through 152) (located on the Bradford Ranger District). This decision does not include activities within or near the Allegheny National Recreation Area; therefore, this decision would not affect the Allegheny National Recreation Area.

National Wild and Scenic Rivers: There are two National Wild and Scenic Rivers on the Allegheny National Forest: the Allegheny and Clarion Rivers. This decision does not include activities within or near MA 8.1 (Wild and Scenic River Corridor) for the Allegheny or Clarion Wild and Scenic Rivers. This decision should not affect either National Wild and Scenic River.

4. Inventoried Roadless Areas

This decision does not include activities within or near inventoried roadless areas; therefore, this decision, with impacts limited to the immediate area of activity, would not affect inventoried roadless areas.

5. Research Natural Areas

This decision does not include activities within or near Research Natural Areas; therefore, this decision, with impacts limited to the immediate area of activity, would not affect Research Natural Areas.

6. Native American Religious or Cultural Sites

The Federal government has trust responsibilities to Tribes under a government-to-government relationship to ensure that the Tribes' reserved rights are protected. Consultation with tribes helps ensure that these trust responsibilities are met. The Forest Service has consulted with the Absentee-Shawnee Tribe of Oklahoma, Cayuga Nation, Delaware Nation, Delaware Tribe of Indians, Eastern Shawnee Tribe of Oklahoma, Oneida Indian Nation, Oneida Nation of Wisconsin, Onondaga Nation, Seneca Nation of Indians, Seneca-Cayuga Tribe of Oklahoma, St. Regis Mohawk Tribe, Shawnee Tribe, Stockbridge-Munsee Band of Mohican Indians, Tonawanda Band of Seneca, and Tuscarora Nation. No tribal concerns were identified. This decision will have no known impacts on Native American religious or cultural sites.

7. Archaeological Sites or Historic Properties or Areas

Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, eligible for inclusion in, or unevaluated for inclusion in the National Register of Historic Places. Section 106 of the National Historic Preservation Act also requires federal agencies to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on agency undertakings. The Archaeological Resources Protection Act covers the discovery and protection of historic properties (prehistoric and historic) that are excavated or discovered on federal lands. It affords protection of archaeological resources and sites that are on public and Indian lands. The Native American Graves Protection and Repatriation Act cover the discovery and protection of Native American human remains and objects that are excavated or discovered in federal lands. It encourages avoidance of archaeological sites that contain burials or portions of sites that contain graves through *in situ* preservation but may encompass other actions to preserve these remains and items. This decision complies with the cited Acts.

A heritage survey was conducted for this project. No historic properties will be affected by this decision. The Forest Service has consulted with the Pennsylvania State Historic Preservation Office concerning the findings in this decision.

No other extraordinary circumstances related to the project were identified.

III. Public Involvement

The following methods were used to inform the public of their opportunity to comment on this proposal:

- 1) A scoping package was mailed on November 19, 2019 to potential interested parties, including subsurface mineral owners.
- 2) The scoping package was also posted on the Allegheny National Forest website on November 20, 2019.
- 3) The project was listed in the Allegheny National Forest schedule of proposed actions (SOPA) beginning with the October 2017 issue.

Thirty-six (36) individuals and organizations submitted comments during the scoping period. Most of the individuals and organizations that submitted comments (29) were supportive of the project.

Several recreation residence camp owners in the Seldom Seen area expressed concern about the nearest of the proposed trail connector to their recreation residences. District Ranger, Rob Fallon, met with a representative of the camp owners, and the proposed trail was relocated within the vicinity of their camps to resolve their concerns (see attached map). This resulted in the following minor changes to the proposed action that are included in the table in Item 1 (A) above:

- Total miles of the proposed trail connector increased from 17.9 miles to 18.1 miles.
- Total miles of proposed Forest Service trail increased from 12.8 miles to 12.9 miles.
- Total miles of proposed trail using new construction increased from 4.1 miles to 4.3 miles.
- An additional gate is being proposed west of the proposed trail connector on Forest Road 842 (west Camp Road) to clearly distinguish the trail from the road. With installation of this gate, the management of the Forest Road 842 will change from open to restricted.

The Jenks Township Board of Supervisors asked that due to Marienville having high volume pedestrian traffic during the Memorial Day weekend for the local yard sales and the Oktoberfest weekend that the trail be closed during those events. Jenks Township would schedule specified Township roads to be open to ATV traffic the day after Memorial Day to the Wednesday before Oktoberfest. The proposed trail connector will be open from the day following Memorial Day through the third weekend in September each year.

The Environmental Protection Agency concerns (purpose and need, two stream crossing, wetland impacts, and federally listed threatened and endangered species) are addressed in

this document. Purpose and Need is discussed in Item I (B) above. The two proposed stream crossings will use either structural plate arches or bridges and placing of limestone surfacing within 300 feet of each crossing. Wetland impacts are discussed in Item 2 (B) (2) above and in the hydrologist specialist report (in the project file). The proposed trail was designed and layed out to minimize impacts to wetlands. Forest Plan standards and guidelines, Pennsylvania best management practices, and project design features (see below) will also be followed to minimize impacts to wetlands. Federally listed threatened and endangered species are discussed in Item 2 (B) (1) above.

Several individuals asked to have additional trail connectors to other locations within the forest added to the project proposal. Adding additional trail connectors is beyond the scope of this project.

IV. Findings Required by and/or Related to Other Laws and Regulations

Our decision complies with all applicable laws and regulations. We have summarized some pertinent ones below.

Forest Plan Consistency (National Forest Management Act) – This Act requires the development of long-range land and resource management plans (Forest Plan). The Allegheny Forest Plan was approved in 2007 as required by this Act. The Forest Plan provides guidance for natural resource management activities on the Allegheny National Forest. The Act requires that all projects and activities are consistent with the Forest Plan. The Forest Plan has been reviewed in consideration of this project proposal. This decision is responsive to guiding direction contained in the Forest Plan, as summarized in Section I of this document.

Endangered Species Act – See Section II, Item B1.

Clean Water Act – This Act requires restoring and maintaining the integrity of waters. The Forest Service complies with this Act by following Forest Plan standards and guidelines and best management practices to minimize impacts to soil and water resources. See Section II, Item B2.

Wetlands (Executive Order 11990) – See Section II, Item B2.

Floodplains (Executive Order 11988) – See Section II, Item B2.

Clean Air Act – This Act requires the Environmental Protection Agency to set National Ambient Air Quality Standards to protect public health and welfare from air pollution. The Environmental Protection Agency has set National Ambient Air Quality Standards for six criteria pollutants (carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide) (<https://www.epa.gov/criteria-air-pollutants/naaqs-table> last updated: December 20, 2016. Accessed December 2, 2019). If an area of the country does not meet the National Ambient Air Quality Standards, the Environmental Protection Agency, and the state work together to determine the boundary of the nonattainment area.

Currently, the four county area of Pennsylvania, in which the Allegheny National Forest is located, is in attainment of all the National Ambient Air Quality Standards except sulfur dioxide (SO₂) (<https://www.epa.gov/green-book> last updated: November 1, 2019. Accessed December 2, 2019). Effective October 4, 2013, an area consisting of Conewango Township, Glade Township, Pleasant Township, and the City of Warren were designated as a nonattainment area for pollutant

sulfur dioxide (<http://www.gpo.gov/fdsys/pkg/FR-2013-08-05/html/2013-18835.htm> Accessed December 2, 2019).

This decision is not located in Conewango Township, Glade Township, Pleasant Township, or the City of Warren. Therefore, the cumulative effects of past, present, and reasonably foreseeable future federal and non-federal actions are not expected to bring any of the criteria air pollutants currently in attainment to levels that exceed the National Ambient Air Quality Standards, nor are these actions expected to have any noticeable effect on ambient sulfur dioxide levels.

Federal Cave Resources Protection Act - This Act requires securing, protecting, preserving, and maintaining significant caves, to the extent practical. The documentation for this decision supports compliance with this Act. There are no known caves within the project area.

National Historic Preservation Act – See Section II, Item B6 and B7.

Archeological Resources Protection Act – See Section II, Item B6 and B7.

Native American Graves Protection and Repatriation Act – See Section II, Item B6 and B7.

Wild and Scenic Rivers Act – See Section II, Item B3.

Environmental Justice (Executive Order 12898) – This Order requires consideration of whether projects would disproportionately impact minority or low-income populations. This decision complies with this Act. Public involvement occurred for this project, the results of which we considered in our decision making. Public involvement did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

National Environmental Policy Act – This Act requires public involvement and consideration of potential environmental effects. The entirety of documentation for this decision supports compliance with this Act.

Project Design Features

- If any regional forester sensitive species, federally listed, or plant species with a viability concern is identified prior to or during project implementation, project actions will cease and the district botanist will be notified to determine potential impacts and mitigation measures (USDA-FS 2007, page 89).
- Any fill material will be free of weed propagules (USDA-FS 2007, page 53).
- To reduce the potential for introduction or spread of non-native invasive plant species, certified weed-free straw will be used for erosion control measures (USDA-FS 2007, page 53).
- Native, local genotype seeds and plant cuttings will be used in restoration (USDA-FS 2007, page 53).
- To reduce the potential for introduction or spread of non-native invasive plant species, an equipment cleaning provision should be included in all contracts. All equipment must be free of soil, seeds, vegetative matter, or other debris that could contain or hold seeds prior to moving any equipment to a work site, between work sites, or from the Allegheny National Forest. This includes off-road equipment such as ATVs and trailers used for transport of

materials. Equipment will be considered free of soil, seed, and other such debris when a visual inspection does not disclose any such material. Cleaning of equipment may entail brushing or hosing with water or compressed air. Detergents or other cleaning agents are not to be used unless they are applied at a car wash or other facility equipped for water catchment and treatment. Equipment is not to be cleaned in streams, ditches, or other waterways. Cleaning of equipment on National Forest System land will be authorized at specified locations (USDA-FS 2007, page 53).

- Areas where the proposed trail intersects Japanese stiltgrass infestations should be treated with herbicide prior to construction and following construction to prevent spread along the trail (USDA-FS 2007, page 53).
- Site-specific heritage design features are not listed due to the confidential nature of the information. Standards and guidelines for heritage resources are listed in the Forest Plan and Marienville ATV Connect Cultural Resource Report. Appropriate heritage resource personnel will be contacted prior to formalizing any implementation contract or other resource treatments involving ground disturbing activities to include any design features to heritage sites in contracts or agreements (USDA-FS 2007, page 62).
- If any aspect of this project changes, the proposed alteration will undergo additional review and will be documented and submitted to the Pennsylvania State Historic Preservation Office with revised determinations of effects. Furthermore, if any historical and/or archeological remains are discovered during implementation of the proposed project, all activities will cease within 100 meters of the location, appropriate heritage resource personnel will be contacted, and the project will not proceed until project proponents receive written permission from appropriate heritage resource personnel (USDA-FS 2007, page 62).
- Implement Pennsylvania Best Management Practices for erosion and sediment control (USDA-FS 2007, page 74).
- Seed, fertilizer, and lime should be applied as needed to adequately stabilize disturbed areas that are susceptible to erosion and to encourage revegetation, a soils analysis should be completed to determine appropriate rates for application (USDA-FS 2007, page 72).
- Utilize limestone surfacing on sections of trail where sedimentation is anticipated to reach the stream (USDA-FS 2007, page 76).
- Drivable dips or grade controls are used to control runoff will be armored with durable material so that they do not wear down (USDA-FS 2007, page 76).
- Paver blocks will be used to build a stable, more durable trail near the stream crossings where the trail parallels State Route 66, (USDA-FS 2007, page 76).
- Water and wildlife conveyance structures will be installed, as needed, to facilitate water and wildlife movement through the railroad grade/embankment (USDA-FS 2007, pages 76 and 81).
- To limit noise and disturbance, the proposed ATV connector will be open only during only the summer recreation season from the day following Memorial Day through the third weekend in September (USDA-FS 2007, page 81).

- To limit noise and disturbance, the proposed ATV connector will be open only during daylight hours (dawn to dusk) (USDA-FS 2007, page 81).
- To reduce noise and disturbance, some sections of the proposed ATV connector will be posted with a speed limit and other signs reinforcing trail operating restrictions, such as “stay on designated trails”, “two-way traffic” and “residential area”. Features may be also added in sensitive areas to include natural looking split rail fencing, guiderails, or higher domed trail design (USDA-FS 2007, page 81).
- Within ½-mile of the Seldom Seen Recreation Residences, the following design features will be used to reduce noise and speed through this residential area USDA-FS 2007, pages 60–61).
 - The proposed trail through this area was relocated to a minimum of 1/4-mile distance from the nearest recreation residence west of Beaver Meadows Road, except where the trail is directly adjacent to Beaver Meadows Road.
 - Limit speed within ½-mile of the Seldom Seen Recreation Residences to 5 miles per hour.
 - Install, as needed, periodic speed humps, lane splits, curves and narrowing to maintain low speed.
 - Install, as needed, reinforcement signing for trail operating restrictions.
 - Plant shrubs adjacent to the trail, as needed, to shield the residences and Beaver Meadows Road from the trail.
 - Place a gate on Forest Road 842 (West Camp Road), where the proposed trail will cross this access road to a group of recreation residences, to clearly distinguish the trail from the road. The gate will generally be closed when the proposed ATV connector trail is open, and it can be left opened when the proposed ATV connector trail is closed. Management of the gate will be shared by the Forest Service and the group of recreation residence owners on West Camp Road.
- **Northern long-eared bat** - If a northern long-eared bat hibernacula or roost tree is discovered during project implementation, the interim 4d rule and R9 Programmatic Biological Assessment conservation measures and Forest Plan Standard and Guidelines on pages 74-82 will be followed.

Applicable R9 Programmatic Biological Assessment Conservation Measures include:

- Within 0.25 miles of known, occupied northern long-eared bat hibernacula, timber harvest will be designed to maintain, enhance, or restore swarming, staging, roosting, and foraging habitat. The future desired condition is that these areas will feature structurally complex, resilient forest communities with a continuous supply of snags, culls, cavities, and other quality roosts.
- Avoid cutting or destroying known, occupied northern long-eared bat maternity roost trees unless they are an immediate safety hazard.

- Where possible, avoid and protect milkweed found in herbaceous openings, along ditchlines/roads and trails, and during trail construction. Include milkweed seed/plugs in selected trail rehabilitation sites in the project area. Seed mixtures should also include a variety of pollinator plants (USDA-FS 2007, pages 80 and 81).
- Known raptors nests will be checked annually. If any new nests are discovered during any phase of the project implementation, appropriate Forest Plan Standards and Guidelines will be followed (USDA-FS 2007, pages 85, 86, and 88).
- Reserve or protect all known apple trees, crabapples, and native shrubs to the degree possible (USDA-FS 2007, page 65).
- Retain large hemlock and white pine (greater than 18 inches in diameter at breast height) for habitat component to the degree possible (USDA-FS 2007, page 65).
- For the stream crossing over a unnamed tributary to Salmon Creek on Forest Road 221BA install a specially designed culvert with vernal/beaver pond overflow device that allows water levels in the vernal pool (historic beaver dam) to remain relatively constant and to maintain this feature (USDA-FS 2007, pages 77–78).
- Utilize limestone surfacing at all key critical stream crossings on the Watson Branch of Spring Creek. (USDA-FS 2007a, page 76).
- On streams containing reproducing wild trout, the construction or replacement of stream crossings should be accomplished between January 1 and September 30 to avoid impacts to spawning trout. This includes all crossings of intermittent and perennial sections of Watson Branch of Spring Creek. (USDA-FS 2007a, page 76).
- Avoid large vernal pool on the north side of State Route 66 near the ATV trailhead (USDA-FS 2007, page 77).

V. Administrative Review and Objection

This decision is not subject to administrative review or objection under 36 CFR 218.

VI. Implementation Date

Implementation may begin immediately. Construction may begin after appropriate permits are obtained.

VII. Responsible Officials and Contact Person

For additional information or copies of the decision memo, please contact Kevin Treese, District Planning Team Leader, at the Marienville Ranger District, 131 Smokey Lane, Marienville, PA 16239. Phone: (814) 927-5759. Email: kevin.treese@usda.gov.

The responsible official for the project is Robert T. Fallon, Marienville District Ranger, Allegheny National Forest. Thank you for your interest in the management of your national forest.



ROBERT T. FALLON
District Ranger

May 4, 2021

Date

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1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.

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